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POLICIES OF APARTHEID OF THE GOVERNMENT OF SOUTH AFRICA

Algeria, Cuba, Indonesia, Kuwait, New Zealand, Nicaragua, Nigeria, Norway, Ukraine and United Republic of Tanzania: draft resolution

Oil embargo against South Africa

The General Assembly,

Having considered the report of the Intergovernmental Group to Monitor the Supply and Shipping of Oil and Petroleum Products to South Africa, 1/

Recalling its resolutions on the oil embargo against South Africa, in particular resolution 46/79 E of 13 December 1991,

Recognizing the importance of the oil embargo as a major contribution to the pressure exerted on South Africa towards the eradication of apartheid through negotiations, as well as the importance of maintaining pressure until there is clear evidence of profound and irreversible changes, bearing in mind the objectives of the Declaration on Apartheid and its Destructive Consequences in Southern Africa, 2/ such as the adoption of a non-racial and democratic constitution for a free South Africa,

Noting that the most effective oil embargo against South Africa remains the adoption by the Security Council of a mandatory embargo,

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1/ Official Records of the General Assembly, Forty-seventh Session, Supplement No. 43 (A/47/23).

2/ Resolution S-16/1, annex.

Noting with appreciation the draft model law for the effective enforcement of the oil embargo against South Africa, contained in annex I of the report of the Intergovernmental Group to the General Assembly at its forty-fifth session, 3/ and welcoming its consideration by Member States,

Concerned that the oil embargo against South Africa is still being violated and that South Africa, because of loopholes in the embargo, such as lack of effective legislation, has been able to acquire oil and petroleum products,

Convinced that an effective oil embargo against South Africa would contribute to the efforts of the international community to bring about a negotiated settlement and the establishment of a united, non-racial and democratic South Africa,

1. Takes note of the report of the Intergovernmental Group to Monitor the Supply and Shipping of Oil and Petroleum Products to South Africa, 1/ and endorses its recommendations;

2. Requests all States to adopt, if they have not already done so, and otherwise to maintain and enforce effective measures prohibiting the supply and shipping of oil and petroleum products to South Africa, whether directly or indirectly, and in particular:

(a) To apply strictly the "end users" clause and other conditions concerning restriction on destination to ensure compliance with the embargo;

(b) To compel the companies originally selling or purchasing oil or petroleum products, as appropriate to each nation, to desist from selling, reselling or otherwise transferring oil and petroleum products to South Africa, whether directly or indirectly;

(c) To establish strict control over the supply of oil and petroleum products to South Africa by intermediaries, oil companies and traders by placing responsibilities for the fulfilment of the contract on the first buyer or seller of oil and petroleum products who would, therefore, be liable for the actions of these parties;

(d) To prevent South African companies from acquiring holdings in oil companies outside South Africa;

(e) To prohibit all assistance to South Africa in the oil sector, including finance, technology, equipment or personnel;

3/ Official Records of the General Assembly, Forty-fifth Session, Supplement No. 43 (A/45/43).

(f) To prohibit the transport of oil and petroleum products to South Africa by ships flying their flags, or by ships that are ultimately owned, managed or chartered by their nationals or by companies within their jurisdiction;

(g) To develop a system for registration of ships, registered in their States or owned by their nationals, that have violated the oil embargo, and to discourage such ships from calling at South African ports;

(h) To impose penal action against companies and individuals that have been involved in violating the oil embargo, and to publicize cases of successful prosecutions in conformity with their national laws;

(i) To gather, exchange and disseminate information regarding violations of the oil embargo, including ways and means to prevent such violations, and to take concerted measures against violators;

(j) To discourage ships within their jurisdiction from engaging in activities that give rise to violation of the oil embargo against South Africa, taking into account legislative and other measures already adopted;

3. Authorizes the Intergovernmental Group to take action to promote public awareness of the oil embargo against South Africa, including, when necessary, sending missions and participating in relevant conferences and meetings;

4. Requests the Intergovernmental Group to submit to the General Assembly at its forty-eighth session a report on the implementation of the present resolution;

5. Requests all States to extend their cooperation to the Intergovernmental Group with all necessary assistance for the implementation of the present resolution.